

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of )
Jesse Coppage ) File No.: EB-FIELDNER-22-00034353
York, Pennsylvania )

CITATION AND ORDER

Surveillance Devices Causing Harmful Interference to Wireless Communications

Adopted: September 28, 2023

Released: September 28, 2023

By the Regional Director, Region One:

I. NOTICE OF CITATION

1. This CITATION AND ORDER (Citation), notifies Jesse Coppage (Coppage) that he operated radiofrequency devices at his residence that caused harmful interference to a Commission licensee. We therefore direct that Coppage immediately cease and desist from using the devices and to comply with Federal Communications Commission (Commission or FCC) interference regulations. If Coppage fails to comply with these laws, he may be liable for significant fines up to \$23,727 per day.

2. Notice of Duty to Comply with the Law: We issue this Citation pursuant to section 503(b)(5) of the Communications Act of 1934, as amended (Act), which states that the Commission may not impose monetary forfeitures against non-regulatees who violate Commission rules or the Act unless and until: (a) the Commission issues a citation to the violator; (b) the Commission provides the violator a reasonable opportunity to respond; and (c) the violator subsequently engages in conduct described in the citation.1 Accordingly, Coppage is hereby on notice that he must comply with sections 301, 302, and 333 of the Act2 and sections 15.5(b) and 15.5(c) of the Commission’s rules.3 If Coppage subsequently engages in any conduct described in this Citation — including specifically any violation of sections 301, 302, and 333 of the Act or sections 15.5(b) or 15.5(c) of the Commission’s rules — he may be subject to civil penalties, including but not limited to, substantial monetary forfeitures. In assessing such forfeitures, the Commission may consider both the conduct that led to this Citation and the conduct following the Citation.4 Coppage should take immediate steps to come into compliance with the Commission’s rules, including eliminating the interference.

3. Notice of Duty to Provide Information: Pursuant to sections 4(i), 4(j), and 403 of the Act,5 we direct Coppage to respond in writing, within thirty (30) calendar days after the release date of this Citation, to the questions and requests for documents set out in Section IV of this Citation.

1 See 47 U.S.C § 503(b)(5).

2 Id. §§ 301, 302a, 333.

3 47 CFR § 15.5(b)-(c).

4 See S. Rep. No. 95-580, 95th Cong., 1st Sess. at 9 (1977) (If a person or entity that has been issued a citation by the Commission thereafter engages in the conduct for which the citation of violation was sent, the subsequent notice of apparent liability “would attach not only for the conduct occurring subsequently but also for the conduct for which the citation was originally sent.”) (emphasis added).

5 47 U.S.C. §§ 154(i), 154(j), 403.

## II. BACKGROUND

4. The Commission is charged with protecting licensed radio operations from harmful interference. Harmful interference to wireless providers, such as T-Mobile USA, Inc. (T-Mobile), is particularly problematic in that it can undermine the Commission's primary mission to manage radio spectrum and interfere with 911 service. On October 3, 2022, T-Mobile filed a complaint with the Commission concerning interference to its wireless communication system operating in the 2500 MHz band. T-Mobile uses the 2500 MHz band to provide wireless service to business and residential customers. T-Mobile noted that the interference appeared to be emanating from a surveillance camera system located at a single-family home on Oatman Street in York, Pennsylvania. T-Mobile notified the FCC that the residents at this location failed to take corrective action after being contacted by T-Mobile.

5. On October 17, 2022, agents from the Bureau's Columbia Field Office (Columbia Office) went to York, Pennsylvania in response to T-Mobile's complaint about interference. Using direction-finding techniques, the agents confirmed that the source of the interference was a device or devices located at 779 Oatman Street, York, Pennsylvania (the Coppage Residence). Agents determined by public records search that Coppage is the owner of the property. Agents observed a potential source of the interference as a surveillance camera situated on the front porch of the Coppage Residence. The camera did not have any visible marking or labelling that identified the make and model number, and agents were not permitted to enter the house to inspect and photograph the system base unit. Agent made contact with Coppage's spouse but was not permitted to enter the house to inspect or photograph the surveillance camera system.

6. On October 18, 2022, an agent from the Columbia Office received a telephone call from Coppage. During the phone conversation, the agent warned Coppage that if the Commission determined that the interference was caused by his surveillance camera system, he could face fines for continued operation. The agent requested that Coppage turn off the power to the cameras for a few hours to determine whether his equipment was causing the interference. Coppage agreed to comply with this request. The agent later confirmed with T-Mobile personnel that the interference abated during the time the cameras were off.

7. On November 7, 2022, agents from the Columbia Office returned to York, Pennsylvania to conduct on-scene investigations in response to continuing complaints from T-Mobile that the interference to its wireless service had not been resolved. Using direction-finding techniques, the agents confirmed that the surveillance cameras located at the Coppage Residence were still the source of the ongoing interference to T-Mobile's wireless network.

8. On November 23, 2022, the Enforcement Bureau (Bureau) issued a Notice of Harmful Interference to Coppage.<sup>6</sup> The notice informed Coppage that unauthorized radio emissions causing harmful interference to T-Mobile's licensed operations were emanating from his residence and requested that he take steps to identify the source and eliminate the interference.<sup>7</sup>

9. On February 22, 2023, agents from the Columbia Office returned to York, Pennsylvania to conduct on-scene investigations in response to continuing complaints from T-Mobile that the interference to its wireless service had not been resolved. Using direction-finding techniques, the agents confirmed that the surveillance cameras located at the Coppage Residence were still the source of the ongoing interference to T-Mobile's wireless network.

## III. APPLICABLE LAW AND VIOLATIONS

10. The Commission is charged with protecting licensed radio operations from harmful interference. Harmful interference to wireless providers, such as T-Mobile, is particularly problematic in that it can undermine the Commission's primary mission to manage radio spectrum and interfere with 911

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<sup>6</sup> *Jesse Coppage*, Notification of Harmful Interference to Licensed Communications, (November 23, 2022) (on file in EB-FIELDNER-22-00034353).

<sup>7</sup> *Id.*

service. Section 301 of the Act states that “[n]o person shall use or operate any apparatus for the transmission of energy or communications or signals by radio”<sup>8</sup> within the United States or its territories without a license or authorization granted by the Commission. Part 15 of the Commission’s rules provides an exception to this general license requirement and sets forth conditions under which devices may operate without an individual license.<sup>9</sup> Section 15.5(b) of the Commission’s rules requires that “[o]peration of an intentional, unintentional, or incidental radiator is subject to the conditions that no harmful interference is caused . . . .”<sup>10</sup> Similarly, section 15.5(c) of the Commission’s rules states that the “operator of a radio frequency device shall be required to cease operating the device upon notification by a Commission representative that the device is causing harmful interference. Operation shall not resume until the condition causing the harmful interference has been corrected.”<sup>11</sup> Section 15.3(m)’s definition of harmful interference includes “[a]ny emission, radiation or induction that . . . obstructs or repeatedly interrupts a radiocommunications service operating in accordance with this chapter.”<sup>12</sup> Section 302(b) of the Act states that “[n]o person shall manufacture, import, sell, offer for sale, or ship devices or home electronic equipment and systems, *or use devices*, which fail to comply with regulations promulgated pursuant to this section.”<sup>13</sup> Section 2.925(a)(1) of the Commission’s rules states in relevant part that “[e]ach equipment covered in an application for equipment authorization shall bear a label listing the following: (1) FCC Identifier consisting of the two elements in the exact order specified in § 2.926. The FCC Identifier shall be preceded by the term FCC ID in capital letters on a single line, and shall be of a type size large enough to be legible without the aid of magnification.”<sup>14</sup>

11. We find that Coppage violated sections 301, 302, and 333 of the Act<sup>15</sup> and sections 15.5(b) and 15.5(c) of the Commission’s rules<sup>16</sup> by operating devices causing harmful interference to T-Mobile’s licensed operations, by operating a device which failed to comply with the Commission’s device labeling rules, and by failing to promptly eliminate the interference upon notification by a Commission representative, and by failing to cease operating the devices upon notification by a Commission representative that the devices were causing harmful interference.<sup>17</sup>

#### IV. REQUEST FOR INFORMATION

12. Pursuant to sections 4(i), 4(j), and 403 of the Act, we direct Coppage to submit a written response within thirty (30) days of the release of this Citation. The response shall (a) include the brand, model, serial number, and any other identifying information for each surveillance camera installed at the Coppage Residence; (b) confirm whether each such device has been deactivated; (c) for any such device that is still in operation, state with particularity the specific corrective measures taken to eliminate the harmful interference to T-Mobile’s licensed operations, including how resolution of the interference was verified. Failure to respond in writing, or the provision of an inadequate, incomplete, or misleading response, may subject Coppage to additional sanctions.

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<sup>8</sup> 47 U.S.C. § 301.

<sup>9</sup> 47 CFR § 15.1 *et seq.*

<sup>10</sup> *Id.* § 15.5(b).

<sup>11</sup> *Id.* § 15.5(c).

<sup>12</sup> *Id.* § 15.3(m); *see also Id.* § 2.1(c).

<sup>13</sup> 47 U.S.C. § 302a(b) (emphasis added).

<sup>14</sup> 47 CFR § 2.925(a)(1).

<sup>15</sup> 47 U.S.C. §§ 301, 302a, 333.

<sup>16</sup> 47 CFR § 15.5(b)-(c).

<sup>17</sup> *Id.* § 15.5(b)-(c).

**V. OPPORTUNITY TO RESPOND TO THIS CITATION**

13. Coppage must respond to this Citation within 30 calendar days from the release date of this Citation. Coppage may respond by any of the following methods: (1) a written statement, (2) a teleconference interview, or (3) a personal interview at the Commission Field Office nearest to Coppage's residence. The Commission Field Office nearest to the Coppage Residence is located in Columbia, Maryland.

14. If Coppage requests a teleconference or personal interview, please contact David C. Dombrowski, by telephone at: (301) 725-1996. We note that such teleconference or interview must take place within 30 calendar days of the release date of this Citation. If Coppage prefers to submit a written response with supporting documentation, he must send the response within 30 calendar days of the release date of this Citation to the contact and address provided in paragraph 15 below.

15. All written communications should be sent to the mailing and e-mail address below and reference File Number EB-FIELDNER-22-00034353.

Federal Communications Commission  
EB Columbia Regional Office  
Attn: David C. Dombrowski  
9050 Junction Drive  
Annapolis Junction, Maryland 20701  
FIELD@FCC.GOV  
**Re: EB-FIELDNER-22-00034353**

16. Upon request, the Commission will make reasonable accommodations for persons with disabilities. If applicable, Coppage should provide a description of the accommodation required, and include as much detail as possible, and also provide a telephone number and other contact information. Coppage should allow at least five business days advance notice; last minute requests will be accepted but may be impossible to fill. Coppage should send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the FCC's Consumer and Governmental Affairs Bureau:

For sign language interpreters, CART, and other reasonable accommodations:  
(202) 418-0530 (voice), (202) 418-0432 (tty); and

For accessible format materials (braille, large print, electronic files, and audio format):  
(202) 418-0531 (voice), (202) 418-7365 (tty).

17. We advise Coppage that it is a violation of section 1.17 of the Commission's rules<sup>18</sup> for any person to make any false or misleading written or oral statement of fact to the Commission. Specifically, no person shall:

(1) In any written or oral statement of fact, intentionally provide material factual information that is incorrect or intentionally omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading; and

(2) In any written statement of fact, provide material factual information that is incorrect or omit material information that is necessary to prevent any material factual statement that is made from being incorrect or misleading without a reasonable basis for believing that any such material factual statement is correct and not misleading.

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<sup>18</sup> *Id.* § 1.17.

18. Further, the knowing and willful making of any false statement, or the concealment of any material fact, in reply to this Citation is punishable by fine or imprisonment.<sup>19</sup>

19. Violations of section 1.17 of the Commission's rules or the criminal statute referenced above may result in further legal action, including monetary forfeitures pursuant to section 503 of the Act.

20. Finally, we warn Coppage that, under the Privacy Act of 1974,<sup>20</sup> Commission staff will use all relevant material information before it, including information disclosed in interviews or written statements, to determine what, if any, enforcement action is required to ensure Coppage's compliance with the Act and the Commission's rules.<sup>21</sup>

## VI. FUTURE VIOLATIONS

21. If, after receipt of this Citation, Coppage again violates sections 301, 302, or 333 of the Act, and/or sections 15.5(b) or 15.5(c) of the Commission's rules by engaging in conduct of the type described herein, the Commission may impose sanctions for each such violation. For example, the Commission may impose monetary forfeitures. The Commission may impose forfeitures not to exceed \$23,727 for each such violation or each day of a continuing violation, and up to \$177,951 for any single act or failure to act.<sup>22</sup> The Commission may further adjust the forfeiture reflecting enumerated statutory factors, which include the nature, circumstances, extent, and gravity of the violation, and with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and other such matters as justice may require.<sup>23</sup> Further, as discussed above, the Commission may assess forfeitures on both the conduct that led to this Citation and the conduct following it.<sup>24</sup> In addition, future violations may subject Coppage to seizure of equipment through *in rem* forfeiture actions,<sup>25</sup> as well as criminal sanctions, including imprisonment.<sup>26</sup>

## VII. ORDERING CLAUSES

22. Accordingly, **IT IS ORDERED** that, pursuant to sections 4(i) and 4(j) of the Act, 47 U.S.C. § 154(i), (j), Jesse Coppage must cease and desist from causing harmful interference in violation of section 333 of the Act, 47 U.S.C. § 333, operating a device that fails to comply with the Commission's rules in violation of section 302 of the Act, 47 U.S.C. § 302, and operating without authorization in violation of section 301 of the Act, 47 U.S.C. § 301, and sections 15(b) and 15(c) of the Commission's rules, 47 CFR § 15.5(b)-(c).

23. **IT IS FURTHER ORDERED** that, pursuant to sections 4(i), 4(j), and 403 of the Act,<sup>27</sup> Jesse Coppage must provide the written information requested in paragraph 12 above. Jesse Coppage must support his responses with an affidavit or declaration under penalty of perjury, signed and dated by Jesse Coppage, attesting personal knowledge of the representations provided in the response, verifying the truth and accuracy of the information therein and that all of the information requested has been produced. All such declarations provided must comply with section 1.16 of the Commission's rules and

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<sup>19</sup> 18 U.S.C. § 1001.

<sup>20</sup> 5 U.S.C. § 552a(e)(3).

<sup>21</sup> Any entity that is a "Small Business Concern" as defined in the Small Business Act (Pub. L. 85-536, as amended) may avail itself of rights set forth in that Act, including rights set forth in 15 U.S.C. § 657, "Oversight of Regulatory Enforcement," in addition to other rights set forth herein.

<sup>22</sup> See 47 U.S.C. § 503; 47 CFR § 1.80(b). These amounts are subject to further adjustment for inflation.

<sup>23</sup> See 47 U.S.C. § 503(b)(2)(E); 47 CFR § 1.80(b).

<sup>24</sup> See *supra* paras. 4-9.

<sup>25</sup> See 47 U.S.C. § 510.

<sup>26</sup> See *id.* §§ 401, 501.

<sup>27</sup> *Id.* §§ 154(i), (j), 403.

be substantially in the form set forth therein.<sup>28</sup> The Commission must receive the response within thirty (30) calendar days of the release date of this Citation and Order.

24. **IT IS FURTHER ORDERED** that a copy of this Citation and Order shall be sent by first class mail and certified mail, return receipt requested, to Jesse Coppage at his residence in York, Pennsylvania.

FEDERAL COMMUNICATIONS COMMISSION

David C. Dombrowski  
Regional Director, Region One  
Enforcement Bureau  
Federal Communications Commission

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<sup>28</sup> 47 CFR § 1.16.